

REED SMITH LLP

Formed in the State of Delaware

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Attorneys for Defendant,

Nokia Siemens Networks US, LLC

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
(TRENTON VICINAGE)**

**ADVANCED TECHNOLOGIES AND
INSTALLATION CORPORATION d/b/a
TELECOM NETWORK SPECIALISTS,**

Plaintiff,

v.

NOKIA SIEMENS NETWORKS US, LLC,

Defendant.

DOCUMENT ELECTRONICALLY FILED

CIVIL ACTION NO. _____

DEFENDANT'S NOTICE OF REMOVAL

To: The United States District Court
For the District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street, Room 2020
Trenton, NJ 08608

Florio Perrucci Steinhardt & Fader, L.L.C.
John F. Neary
218 Route 17 North, Suite 300
Rochelle Park, New Jersey 07662
Attorneys for Plaintiff

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1332, 1441 and 1446,
Defendant Nokia Siemens Networks US, LLC ("Defendant" or "NSN"), by and through its
counsel, Reed Smith LLP, hereby removes this action from the Superior Court of New Jersey,

Law Division, Somerset County, in which it is pending, to the United States District Court for the District of New Jersey. In support of this Notice of Removal, Defendant states as follows:

1. On October 23, 2009, Plaintiff Advanced Technologies and Installation Corporation d/b/a Telecom Network Specialists (“Plaintiff” or “TNS”) commenced an action against Defendant in the Superior Court, Law Division, Somerset County, New Jersey, where it is presently captioned Advanced Technologies and Installation Corporation d/b/a Telecom Network Specialists v. Nokia Siemens Networks US, LLC, Docket No. L 1940-09. Through its Complaint, Plaintiff attempts to allege, *inter alia*, various contract and common law tort claims arising from a service contract entered into between Plaintiff and Defendant. A true copy of Plaintiff’s Complaint is attached hereto as “Exhibit A”.
2. On November 10, 2009, Plaintiff served upon Defendant the above reference Complaint and accompanying summons. Proof of such service and the date on which it was received is attached hereto as “Exhibit B”. This Notice of Removal is therefore timely under 28 U.S.C. § 1446(b), as it was filed on or before December 10, 2009 – not more than thirty-days after the date on which Defendant received a copy of the Complaint.
3. Defendant is a Delaware Limited Liability Company. Defendant is wholly-owned by Nokia Siemens Networks Holdings USA Inc. (“NSN Holdings”). NSN Holdings is a Delaware corporation whose principal place of business is Delaware. Defendant is, therefore, a citizen of Delaware for purposes of 28 U.S.C. § 1332(a)(1) and (c)(1).
4. Upon information and belief, Plaintiff is a Washington corporation whose primary place of business is located at 655 N. Glenville Drive, Richardson, TX 75081. Screen shots from Plaintiffs’ web-site which describe Plaintiff as being headquartered in Richardson, TX, are hereto attached as “Exhibit C”. In addition, the Complaint, attached hereto as “Exhibit A” states that Plaintiff is a Washington corporation. Plaintiff is, therefore, a citizen of Washington and Texas for purposes of 28 U.S.C. § 1332(a)(1) and (c)(1).

5. Plaintiff has demanded judgment in its favor for \$11, 327,283.80. See the Complaint, attached hereto as "Exhibit A". That amount far surpasses the \$75,000 amount in controversy requirement of 28 U.S.C. § 1332(a).

6. Because this Court has original jurisdiction over this action due to the complete diversity of citizenship of the parties under 28 U.S.C. § 1332(a)(1) and an amount in controversy above the \$75,000 threshold under 28 U.S.C. § 1332(a), this action is properly removable pursuant to 28 U.S.C. § 1441(b).

7. No proceedings have occurred before the Superior Court of New Jersey other than the filing of Plaintiff's Complaint.

8. There are no additional Defendants to consent to this removal.

9. This removal is made without waiver of any defenses, including improper service of process and insufficiency of service of process.

10. Written notice of the filing of this Notice of Removal will be served upon counsel of record for Plaintiff in accordance with 28 U.S.C. § 1446(d).

11. A true and correct copy of this Notice of Removal will also be filed with the Clerk of the New Jersey Superior Court and the Clerk of Superior Court of New Jersey, Somerset, Law Division, in accordance with 28 U.S.C. § 1446(d), attached hereto as Exhibit "D".

WHEREFORE, Defendant hereby gives notice that this action is removed from the Superior Court of New Jersey, Somerset County, Law Division, to the United States District Court for the District of New Jersey.

REED SMITH LLP
Attorneys for Defendant
Nokia Siemens Networks US, LLC

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Dated: December 10, 2009